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VIA ECF

Honorable Peggy Kuo
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Ruane v. Bank of America, N.A., et. al.*, 1:17-cv-03704 (PKC) (PK)

Dear Judge Kuo:

We are the attorneys for defendant, Bank of America, N.A. ("BANA"), in this action. I am writing in response to the letter motion by Plaintiff's counsel requesting a conference call to address the upcoming Rule 30(b)6 depositions in this case. This is not quite as plaintiff represents.

This is a simple fact patter case involving the reporting of plaintiff's account to credit reporting agencies, namely, Chex and EWS, in connection with counterfeit checks that were admittedly deposited into plaintiff's account. From this paucity of facts, the plaintiff has generated something that can best be described as practically a frivolous series of deposition notices that are voluminous and ranging over topics designated by plaintiff that are clearly broad field with any rational relationship to this case or to the facts of the case.

We had conference calls trying to narrow and reduce the outrageous number of depositions, as many as 8 to 10 witnesses including plaintiff's deposition, being scheduled by plaintiff for the month of May taking place at different locations all over the country, and to narrow the scope of the outrageous number of topics in a gigantic fishing expedition with topics that are inappropriate that were noticed by plaintiff's counsel but we have not been successful. We were in the middle of preparing a motion for a protective order and we look forward to a call on Monday with the court. We will address all the issues fully in the call on Monday and we certainly welcome it.

We also welcome the opportunity to fully brief all the issues, there are many, in the motion for a protective order that is being prepared. We cannot properly address the many issues in the three page limit for letter motions and ask the court for permission to increase the page limit to 10 pages for the motion. We would appreciate a briefing schedule from the court so that we can file our motion for a protective order.



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- 2 -

Respectfully submitted,

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/s/Aaron Weissberg
Aaron Weissberg

cc: All counsel of record (via ECF)